

HOUSE BILL NO. HB0174

Kindergarten start date.

Sponsored by: Representative(s) Duncan, Clifford, Freeman,
Lindholm, Newsome, Northrup, Olsen and
Salazar and Senator(s) Coe, Kost and
Wasserburger

A BILL

for

1 AN ACT relating to education; amending the minimum school
2 age; conforming provisions; specifying applicability; and
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 21-2-704, 21-3-110(a) by creating a
8 new paragraph (xxxvii), 21-4-102(a)(intro), 21-4-301,
9 21-4-302(a), (b) and (c)(ii) and 21-13-315(k) are amended
10 to read:

11

12 **21-2-704. School district responsibility.**

13

1 Notwithstanding any other provisions of this act, any
2 preschool children with disabilities who are five (5) years
3 of age on or before August 1 or September 15 if pursuant to
4 an agreement under W.S. 21-3-110(a)(xxxvii) and who are
5 receiving services from a school district shall be the
6 responsibility of that school district.

7

8 **21-3-110. Duties of boards of trustees.**

9

10 (a) The board of trustees in each school district
11 shall:

12

13 (xxxvii) Establish a process in policy to
14 approve or deny requests made by a pupil's parent or
15 guardian based on the pupil's kindergarten readiness
16 assessment score to assess whether the pupil is
17 sufficiently mature to be admitted to the applicable grade.

18

19 **21-4-102. When attendance required; exemptions;**
20 **withdrawal.**

21

22 (a) Every parent, guardian or other person having
23 control or charge of any child who is a resident of this

1 state and whose seventh birthday falls on or before August
2 1 or September 15 if pursuant to an agreement under W.S.
3 21-3-110(a)(xxxvii) of any year and who has not yet
4 attained his sixteenth birthday or completed the tenth
5 grade shall be required to send such child to, and such
6 child shall be required to attend, a public or private
7 school each year, during the entire time that the public
8 schools shall be in session in the district in which the
9 pupil resides; provided, that the board of trustees of each
10 school district may exempt any child from the operation of
11 this article when:

12

13 **21-4-301. Schools to be free and accessible to all**
14 **children; minimum school year.**

15

16 Except as otherwise provided by law, the public schools of
17 each school district in the state shall at all times be
18 equally free and accessible to all children resident
19 therein of five (5) years of age as of August 1 or
20 September 15 ~~of the applicable school year~~ if pursuant to
21 an agreement under W.S. 21-3-110(a)(xxxvii) of the year in
22 which they may register in kindergarten as provided in W.S.
23 21-4-302(b) and under the age of twenty-one (21), subject

1 to regulations of the board of trustees. Each school
2 district shall operate its schools and its classes for a
3 minimum of one hundred seventy-five (175) days each school
4 year unless an alternative schedule has been approved by
5 the state board. Prior to submission of a proposed
6 alternative schedule to the state board, the board of
7 trustees shall hold at least two (2) advertised public
8 meetings within the district, at which the board shall
9 present the proposed alternative schedule and respond to
10 public questions and comments. Any school district
11 operating under an alternative schedule shall annually
12 evaluate the effectiveness of that schedule in meeting the
13 educational goals and purposes for which the schedule was
14 adopted.

15

16 **21-4-302. Age for registration in first grade and**
17 **kindergarten; preschool programs.**

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19 (a) A pupil may register in the first grade in the
20 public schools of this state in the year in which his sixth
21 birthday falls on or before August 1 or September 15 if
22 pursuant to an agreement under W.S. 21-3-110(a)(xxxvii).

23

1 (b) A pupil may register in kindergarten in the
2 public schools of this state in the year in which his fifth
3 birthday falls on or before August 1 or September 15 if
4 pursuant to an agreement under W.S. 21-3-110(a)(xxxvii).

5
6 (c) The board of trustees of a school district may
7 permit the enrollment of pupils in a part-time preschool
8 program with a curriculum based on developmentally
9 appropriate practices funded by the district. The school
10 district may:

11
12 (ii) Establish a minimum attendance age for the
13 program, but a pupil must have attained at least his third
14 birthday on or before August 1 or September 15 if pursuant
15 to an agreement under W.S. 21-3-110(a)(xxxvii) of the year
16 in which that pupil enrolls. A pupil who enrolls in such a
17 preschool program shall not be included within the
18 district's average daily membership (ADM) for purposes of
19 receiving state funds or within any other school funding
20 formula for purposes of receiving funds from the state,
21 unless the pupil has attained the minimum age for
22 registration in kindergarten as provided in subsection (b)
23 of this section;

1

2 21-13-315. Costs of court ordered placement of
3 children in private residential treatment facilities, group
4 homes, day treatment programs and juvenile detention
5 facilities.

6

7 (k) Except as otherwise provided by law, this section
8 applies to children who are at least five (5) years of age
9 as of August 1 or September 15 ~~of the applicable school~~
10 ~~year~~ if pursuant to an agreement under W.S.
11 21-3-110(a)(xxxvii) of the year in which they may register
12 in kindergarten as provided in W.S. 21-4-302(b) but who are
13 under twenty-one (21) years of age.

14

15 **Section 2.** The change in the age requirement for
16 registering in the first grade as provided in this act
17 shall not apply to students who were registered to attend
18 kindergarten in the public schools of this state during
19 school year 2020-2021.

20

21 **Section 3.** This act is effective August 1, 2021.

22

23

(END)